UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

JOHN D. FRESHWATER, et al.,

Plaintiffs,

Case No. 2:09-cv-464 JUDGE GREGORY L. FROST Magistrate Judge King

v.

MOUNT VERNON CITY SCHOOL DISTRICT BOARD OF EDUCATION, et al.,

Defendants.

ORDER

This matter came on for consideration upon the Plaintiff's Motion for Leave to File Memorandum Contra to Defendant Weston's Motion to Dismiss. (Doc. # 32.) The Court **GRANTS** said motion.

The Clerk is instructed to detach the Memorandum Contra (Doc. # 32) and file as of this date. The Court finds the Memorandum Contra is timely filed.

The parties shall adhere to the following briefing schedule:

- 1. Reply shall be filed no later than October 5, 2009.
- 2. Non oral hearing is scheduled for October 6, 2009.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE